

Application No. 09/728,443
Reply to Office action of June 30, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (original) A method of producing a dairy product fortified with a fine powdered of calcium phosphate, comprising the steps of:
 - A. providing a warm pasteurized milk blend having a temperature of 40°C to 60°C comprising a milk blend having a native calcium content and sufficient amounts of calcium phosphate in powder form comprising particles having a mean diameter of $\leq 6\mu\text{m}$ to provide a total calcium content of 125% to 500% of the native calcium content.
2. (original) The method of claim 1, additionally comprising the step of:
 - B. inoculating the warm pasteurized calcium phosphate fortified heat treated milk base with a starter culture to form an inoculated milk base.
3. (original) The method of claim 2, additionally comprising the step of:
 - C. fermenting the inoculated milk base to provide a yogurt.
4. (original) The method of claim 3, additionally comprising the step of:
 - D. cooling the yogurt to arrest the fermentation to provide a chilled yogurt having a viscosity of at least 1500 centipoise (at 5°C).
5. (original) The method of claim 3, wherein the fermentation step is practiced quiescently.

Application No. 09/728,443
Reply to Office action of June 30, 2003

6. (original) The method of claim 4 additionally comprising the step of: adding the chilled yogurt to a container to form a filled yogurt container.
7. (original) The method of claim 6 wherein the container is a cup.
8. (original) The method of claim 6 wherein the container is a flexible tube fabricated from a flexible film.
9. (original) The method of claim 4 additionally comprising the step of:
adding the inoculated milk base to a container prior to fermenting Step C.
10. (original) The method of claim 6 wherein the chilled yogurt additionally comprises a fruit sauce.
11. (original) The method of claim 1 wherein the milk blend comprises mammalian milk.
12. (original) The method of claim 1 wherein the calcium source is selected from the group consisting of tricalcium phosphate, dicalcium phosphate, their hydrates, and mixtures thereof.
13. (original) The method of claim 9 wherein additionally comprising about 5 to 15% by weight of the fermented dairy product of a fruit ingredient.
14. (original) The method of claim 13 wherein the fermented dairy product is a yogurt having a viscosity of at least 2300 cps (at 5°C).
15. (original) The method of claim 6 wherein the fermented dairy product is a yogurt and wherein the yogurt is free of a fruit ingredient.
16. (original) The method of claim 6 wherein the calcium salt is tricalcium phosphate.

Application No. 09/728,443
Reply to Office action of June 30, 2003

17. (original) The method of claim 6 additionally comprising the step:
maintaining the chilled yogurt container at about 5°C to about 10 °C.
18. (original) The method of claim 1 wherein the total calcium content ranges from about
0.25% to about 0.75%.
19. (original) The method of claim of claim 1 wherein the milk blend comprises at least
one mammalian milk ingredient.
20. (original) The method of claim of claim 1 wherein the milk blend comprises at least
one soybean milk ingredient.
21. (original) The method of claim of claim 1 wherein the milk blend comprises is
chocolate flavored.
22. (original) The method of claim 1, additionally comprising the step of:
B. cooling the calcium fortified pasteurized milk blend to about 1°C to 10°C
to form a calcium fortified refrigerated milk.
23. (canceled)
24. (canceled)
25. (canceled)
26. (canceled)
27. (canceled)
28. (canceled)

Application No. 09/728,443
Reply to Office action of June 30, 2003

29. (canceled)

30. (canceled)

31. (canceled)

32. (canceled)

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34. (canceled)

35. (canceled)

36. (canceled)

37. (canceled)

38. (canceled)

39. (canceled)

40. (original) In a method of producing a fermented dairy product by inoculating a pasteurized milk blend having a native calcium content and fermenting, the improvement comprising:

adding calcium phosphate in particulate in powder form comprising particles having a mean diameter of $\leq 6\mu\text{m}$ to provide a total calcium content of 125% to 500% of the native calcium content of the milk blend prior to pasteurization.

Application No. 09/728,443
Reply to Office action of June 30, 2003

41. (original) The method of claim 40 wherein the fermented dairy product is yogurt.
42. (original) The method of claim 41 wherein yogurt includes a live culture and has a viscosity of at least 2300 cps (at 5°C).
43. (original) The method of claim 42 wherein the yogurt is free of a fruit ingredient.
44. (original) The method of claim 42 wherein the calcium phosphate is tricalcium phosphate having a mean particle size of $\leq 5 \mu\text{m}$.
45. (original) The method of claim 44 wherein the yogurt is a stirred style yogurt.
46. (original) The method of claim 44 wherein the yogurt is a cup set style yogurt.
47. (original) The method of claim 46 wherein the added calcium comprises tribasic calcium phosphate.
48. (canceled)
49. (canceled)
50. (canceled)
51. (original) The method of claim 42 additionally comprising the step of forming the yogurt into an aerated soft-frozen yogurt product having a density of 0.5 to 0.8g/cc and a temperature of -5 to -8°C.
52. (canceled)
53. (canceled)

Application No. 09/728,443
Reply to Office action of June 30, 2003

54. (canceled)

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56. (canceled)

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Application No. 09/728,443
Reply to Office action of June 30, 2003

69. (canceled)

70. (canceled)

71. (canceled)

72. (canceled)